

1 HEATHER E. WILLIAMS, CA SBN #122664
Federal Defender
2 REED GRANTHAM, CA SBN #294171
Assistant Federal Defender
3 Office of the Federal Defender
2300 Tulare Street, Suite 330
4 Fresno, CA 93721-2226
Telephone: (559) 487-5561
5 Fax: (559) 487-5950

6 Attorneys for Defendant
FRANCISCO MELGOZA
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 FRANCISCO MELGOZA,

15 Defendant.
16

Case No. 1:21-cr-00192-NONE-SKO

**STIPULATION TO MODIFY BRIEFING
SCHEDULE AND HEARING DATE;
ORDER**

17 IT IS HEREBY STIPULATED, by and between the parties through their respective
18 counsel, Assistant United States Attorney Christopher Baker, counsel for plaintiff, and Assistant
19 Federal Defender Reed Grantham, counsel for Francisco Melgoza, that the briefing schedule
20 previously set on November 23, 2021, be modified as set forth below, and that the motion
21 hearing currently set for Friday, January 14, 2022, be continued to Friday, January 21, 2022.

22 The defense filed its motion suppress in this matter on December 10, 2021. *See* Dkt. #23.
23 The government filed its opposition on December 31, 2021. *See* Dkt. #24. Defense counsel has
24 contacted government counsel and requested an additional week in order to file its reply and the
25 government has indicated that it does not object. Accordingly, the parties request that the
26 November 23, 2021 briefing schedule be modified, and that the motion hearing date be modified,
27 as set forth below:
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- Any defense reply to be filed on or before January 18, 2022
- Motion hearing to be set on January 21, 2022, at 9:00 a.m. before the Honorable Dale A. Drozd, United States District Court Judge

The parties agree that the delay resulting from the continuance to January 21, 2022, shall be excluded under 18 U.S.C. § 3161(h)(1)(D) because the delay results from the filing of a pretrial motion, through the conclusion of any hearing on the motion, and the prompt disposition of the motion. *See* 18 U.S.C. § 3161(h)(1)(D).

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Date: January 6, 2022

/s/ Christopher Baker
CHRISTOPHER BAKER
Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

Date: January 6, 2022

/s/ Reed Grantham
REED GRANTHAM
Assistant Federal Defender
Attorney for Defendant
FRANCISCO MELGOZA

ORDER

IT IS SO ORDERED. The briefing schedule on the defense motion is hereby modified in accordance with the above. Any defense reply is to be filed on or before January 18, 2022. A hearing on the motion is hereby set for January 21, 2022, at 9:00 a.m. before the Honorable Dale A. Drozd, United States District Court Judge.¹

Time shall be excluded between January 14, 2022, and January 21, 2022, under 18 U.S.C. § 3161(h)(1)(D) because the delay results from the filing of a pretrial motion, through the conclusion of any hearing on the motion, and the prompt disposition of the motion.

IT IS SO ORDERED.

Dated: **January 6, 2022**


UNITED STATES DISTRICT JUDGE

¹ It is anticipated by the court that this case will be reassigned to District Judge Jennifer L. Thurston prior to the hearing date set by this order and that the motion will therefore be heard by District Judge Thurston.